

Exhibit D

Public Correspondence

**Public correspondence received as
of January 14, 2021**

From: [Jeff Wieland](mailto:Jeff.Wieland@odfw.com)
To: odfw.commission@state.or.us
Subject: Comments for the 1-15-21 ODFW Commission Hearing re Non-Native Species
Date: Wednesday, January 13, 2021 8:50:43 PM

There are many things to consider regarding non-native species. Here are a few:

1. In most Western states, rainbow, brook, brown trout naturally reproduce in shared watersheds and are enjoyed by both locals and paying tourists. Many of us fish Central Oregon specifically in search of the many species that live here. Extirpation will cost Central Oregon fishing tourism \$\$\$ and reduce our enjoyment of the resource.

2. ODFW has imported and released non-native species throughout Oregon like Cape Cod rainbows in Crane Prairie, Tiger Trout in Diamond Lake, brown bullheads in Wickiup, and others. They transplant non-native largemouth bass from Davis Lake to Prineville Reservoir, endangering the entire Crooked River redband fishery and steelhead recovery. Extirpating recreationally valuable brook and brown trout, while introducing non-native rainbow strains and transplanting non-native largemouth bass is both unnecessary and frankly, hypocritical.

3. Some of the habitats with non-native species are simply no longer viable for large populations of native trout. For example, Wickiup Reservoir Kokanee, and Brown and Brook trout (unfortunately, along with introduced Brown Bullheads) are better suited for the habitat than native Redbands due to higher temperatures, reduced Deschutes inflows, and marginal water quality. Yes, Wickiup holds a small but self-sustaining population of large Redbands, but their populations haven't substantially increased in 40+ years. Controlling the outmigration of non-native species from Wickiup is important. Extirpating non-native trout, char, and salmonids serves no practical purpose.

4. Where invasive, non-native species threaten native populations (bullfrogs vs Oregon Spotted Frogs, Striped Bass vs Native Salmon and Steelhead Runs, Nutria, etc.) a good case can be made for extirpation, assuming that's even possible.

5. Rules regarding non-native species need to be strategic by both watershed and bodies of water rather than just a broad stroke covering the entire state. While this may not be administratively convenient, that should not be the determining factor in making biological decisions.

6. ODFW has an inconsistent record of protecting and conserving native fish. Examples would be allowing fishing in the Quinn River arm of Crane Prairie upstream of the launch ramp. Another is removing the "no fishing" restriction upstream of the unimproved ramp where O'dell Creek flows into Davis Lake. Those restrictions prevented fishermen walking on the O'dell redds and killing native Cranebows seeking refuge in the cool Quinn River waters. Now both are fished with impunity to the detriment of those native populations. Having fished both waters for 43 years, I'm not aware of complaints when the restrictions were in place. While those simple conservation actions don't seem to be a priority, ODFW focuses on the complicated (and likely futile) strategy of removing all non-native species that the agency often introduced in the first place. How about a simple, enforced rule requiring release of all native trout, char, steelhead, and salmon? If one wants healthier native populations, reducing the take is a simple, low cost strategy.

In closing, I would like to stress that one week's notice doesn't allow much time for either research or public engagement in this complicated issue. I recommend that the Commission hear the testimony on 1-15 and delay a final decision while giving the public a more realistic, broadly announced 90 day minimum comment period.

Jeff Wieland

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jeffwieland@me.com



PO Box 4273
Sunriver OR 97707

January 14, 2021

Oregon Department of Fish and Wildlife

odfw.commission@state.or.us

Michelle.N.Dennehy@state.or.us

Re: Public comments related to Adopting a Non-Native Gamefish Management Policy

The Sunriver Anglers board of directors raise the following concerns about the proposed changes to Adopting a Non-Native Gamefish Management Policy:

1. In most Western states, rainbow, brook, brown trout naturally reproduce in shared watersheds and are enjoyed by both locals and paying tourists. Many of us fish Central Oregon specifically in search of trophy fish of the many species that live here. Extirpation will cost Central Oregon fishing tourism \$\$\$ and reduce our enjoyment of the resource.
2. ODFW has imported and released non-native species throughout Oregon like Cape Cod rainbows in Crane Prairie, Tiger Trout in Diamond Lake, brown bullheads in Wickiup, and others. They transplant non-native largemouth bass from Davis Lake to Prineville Reservoir, endangering the entire Crooked River redound fishery and steelhead recovery. Extirpating recreationally valuable brook and brown trout, while introducing non-native rainbow strains and transplanting non-native largemouth bass is both unnecessary and hypocritical.
3. Some of the habitats with non-native species are simply no longer viable for large populations of native trout. For example, Wickiup Reservoir Kokanee, and Brown and Brook trout (unfortunately, along with introduced Brown Bullheads) are better suited for the habitat than native Redbands due to higher temperatures, reduced Deschutes inflows, and marginal water quality. Yes, Wickiup holds a small but self-sustaining population of large Redbands, but their populations haven't substantially increased in 40+ years.

4. Where invasive, non-native species threaten native populations (bullfrogs vs Oregon Spotted Frogs, Striped Bass vs Native Salmon and Steelhead Runs, Nutria vs the ecosystem, etc.) a good case can be made for extirpation, assuming that's even possible.

5. Rules regarding non-native species need to be strategic by watershed and not just a broad stroke covering the entire state.

6. ODFW has an inconsistent record of protecting and conserving native fish. Examples would be allowing fishing in the Crane Prairie Quinn River arm upstream of the launch ramp. Another is removing the "no fishing" restriction upstream of the unimproved ramp where O'dell Creek flows into Davis Lake. Those removed restrictions prevented fishermen walking on the O'dell redds and killing native Cranebows seeking refuge in the cool Quinn River waters.

While those simple conservation actions don't seem to be a priority, ODFW focuses on the complicated (and likely futile) strategy of removing all non-native species that the agency often introduced in the first place. How about a simple, enforced rule requiring release of all native trout, char, steelhead, and salmon? If one wants healthier native populations, reducing the take is a simple, low-cost strategy.

The Sunriver Anglers board of directors recommends that the Commission hear the testimony and delay a final decision while giving the public a more realistic, broadly announced 90-day minimum comment period.

Sincerely,

Dave Kreps
President
Sunriver Anglers

Cc Board of Directors, SRA



COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

700 NE Multnomah Street, Suite 1200
Portland, Oregon 97232

(503) 238-0667
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January 14, 2021

Oregon Dept. of Fish and Wildlife Commission
4034 Fairview Industrial Dr. SE
Salem, OR 97302

Non-native Game Fish Management Policy Testimony

Oregon Fish and Wildlife Commissioners:

In 1977, the Yakama Nation, the Nez Perce Tribe, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes and the Bands of the Warm Springs Reservation of Oregon formed the Columbia River Inter-Tribal Fish Commission (CRITFC) to provide coordination, management, and technical assistance to ensure that their treaty-reserved fishing rights are protected through the continuation and restoration of tribal fisheries into perpetuity. The four tribes wholly, indivisibly, and equally own and govern the affairs of CRITFC. The usual and accustomed fishing areas of these four sovereign treaty tribes encompasses the majority of the Columbia Basin waterways still accessible to anadromous fish in Oregon, Washington, and Idaho. In Oregon, these areas include the Deschutes, John Day, Willamette, Grande Ronde, Imnaha and Snake river subbasins, which contain critical spawning habitat for threatened and endangered populations of salmon, steelhead, white sturgeon, and Pacific lamprey.

The presence and expansion of the range of various non-native (exotic) fish species in the Columbia Basin has long been a serious concern to the treaty tribes. *Wy-Kan-Ush-Mi Wa-Kish-Wit*, the 1995 tribal salmon restoration plan, recommended the removal of non-native piscivorous fishes. Since the signing of the 1855 treaties, the Columbia Basin ecosystem has been drastically modified by non-tribal activities detrimental to anadromous fish and tribal fisheries. The deliberate and illegal introduction of non-native fish species into the Columbia Basin over the past century has created “ecological wildfires” that continue to impact efforts towards restoring anadromous fisheries for tribal and non-tribal fishers. Many non-native fish consume or directly compete with anadromous fish at various phases of their life cycle. The Federal Columbia River Power System creates conditions (i.e., reservoirs, bottlenecks at dams) that intensify the impact of non-native piscivorous “gamefish” on threatened and endangered anadromous salmonids and lamprey. These unfavorable conditions will become further exacerbated by climate change.

The tribes, through both their own fisheries programs and through CRITFC, have monitored and commented on non-native fish management actions throughout the Columbia Basin for decades. Within the past twenty years, there has been a noticeable expansion and increased occurrence of non-native species such as smallmouth bass and walleye in tribal usual and accustomed fishing areas. American shad are now the most abundant fish within the Columbia River system, and

there is little understanding on their impact to native anadromous fish. The more recent invasion of northern pike above Grand Coulee Dam poses a severe threat to all native resident and anadromous fish in the Columbia River. The expansion, establishment, and proliferation of non-native fish species in the Columbia Basin, whether deliberate (e.g., stocking) or illegal, threatens the entire anadromous ecosystem. Non-native fish species also threaten to compromise the regional investment in salmon restoration. Our tribes are people of the salmon, not the American shad, nor the northern pike.

Ironically, one of the only programs in the Columbia Basin to control juvenile salmon predation is on northern pikeminnow, which is a native species. This discontinuity in native versus non-native species management indicates regional actions are not well-aligned among the states. The tribes are encouraged by aspects of the Oregon Department Fish and Wildlife Commission's proposed Non-Native Game Fish Management Policy, as non-native fish management within much the Columbia Basin is schizophrenic at best.

In our review of the key elements of Non-Native Game Fish Management Policy, the tribes are encouraged by Elements 4 and 5. However, the prioritization of recreational angling appears to be of greater importance than the remaining key elements. Specifically, sub-elements of Element 5 prioritize recreational angling opportunities above conservation of native fish and wildlife and ecosystem function. While we can appreciate that recreational angling for non-native species is favored by the non-tribal constituents of the Oregon Department of Fish and Wildlife (ODFW), the promotion of non-native sport fisheries can be counter to native fish restoration goals. The tribes appreciate the elimination of bag, size, and possession limits on established non-native predators in many locations within the Columbia Basin by both ODFW and Washington Department of Fish and Wildlife. Given the popularity of these non-native sport fisheries, we are encouraged by ODFW's willingness to make difficult, but necessary, decisions to support the conservation of anadromous fish. Indeed, established fisheries on non-native fish can be just as difficult to control as the invasive species itself. It is critical that non-native fish species not be prioritized over native fishes.

As with the key elements, the directives of the proposed Non-Native Game Fish Management Policy echoed language that promoted non-native fish, particularly when native populations were extirpated or conditions were altered that were no longer hospitable to native fish species. This is not a new normal the tribes just accept within the Columbia Basin. The language in Directive 1.f. regarding "significantly altered habitat" is of concern. How will 'significantly altered habitat' be quantified, and by whom? As treaty tribes, the United States has an obligation to uphold their treaty and trust responsibilities with respect to native anadromous and resident fish. These rights also include a habitat component that others should not engage in habitat-damaging activities that diminish the abundance of salmon and prevent tribes from earning a moderate living through fishing. The promotion of non-native game fish is counter to these obligations

CRITFC staff were not aware of this proposed policy until reading the OFWC agenda on January 8, 2021. The agenda item summary indicated that meetings with members of the Warmwater Champions were held in September of 2020. Were similar meetings offered or held with Oregon tribes? To our knowledge, this was not done. Oregon is obligated to consult with tribes on actions that affect their treaty trust natural resources.

Given treaty and trust responsibilities, as well as the regional importance of this issue in the Columbia Basin, we respectfully recommend that the ODFW Commission not approve the Non-Native Game Fish Management Policy until a more thorough analysis of the elements and directives can be reviewed and discussed by the tribes. The tribes also request ODFW consult with them on this and any other issue affecting or relating to the management of their treaty trust natural resources.

We appreciate the opportunity to comment on the Non-Native Game Fish Management Policy.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jaime A. Pinkham".

Jaime A. Pinkham, Executive Director
Columbia River Inter-Tribal Fish Commission

Cc: Tribal Fish and Wildlife Committees

Uwr r rgo gpcn
Public Correspondence

Received as of January 14, 2020

Gzj kdk'D

**Subject: Non Native Game Fish
Management Policy**

**7 individuals submitted the attached
comments.**

Lisa Kingsley

From: Roarke Brady <roarketbrady@gmail.com>
Sent: Thursday, January 14, 2021 10:22 AM
To: ODFW.Commission@state.or.us
Subject: Comment to Commission on EXHIBIT D: NON-NATIVE GAMEFISH MANAGEME

Dear Chair Wahl and Members of the ODFW Commission,

Invasive fish species are already present in many of Oregon's watersheds and can have serious impacts on the ability of wild native fish to not only thrive, but in many cases, survive. Invasive species like catfish, bass, crappie, perch and walleye not only compete for food and habitat with native fish, they also prey on native fish. Their ability to survive in severely degraded environments means that these invasive species flourish in many of Oregon's rivers and streams and contribute to declining populations of native fish species like Salmon, Steelhead, and native Trouts.

The proposed non-native gamefish policy blatantly fails to live up to ODFW's mandate "to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations." We strongly encourage the ODFW Commission to adopt a no size, no bag limit for non-native game fish species as this is the most consistent way for the agency to contribute to the department's mandate.

Artificial lakes without connection to natural streams or rivers are appropriate venues to manage non-native game species for recreational opportunities. Oregon's natural rivers, streams, and lakes (including human-made reservoirs that are attached to riverways) should be stewarded for the revival of abundant, native fish.

Allowing a no size/no bag limit on non-native game fish species allows for recreational opportunity in the near term, as people continue to fish for these species, as well as the long term, as recovered native fisheries become available for both angling and consumptive opportunity.

Let's ensure that the state's priorities remain clear by crafting policies focused on the conservation and recovery of our iconic native fish species.

Sincerely,
Roarke Brady
roarketbrady@gmail.com 97219

Lisa Kingsley

From: Trish Schot <patriciaschot@gmail.com>
Sent: Thursday, January 14, 2021 10:29 AM
To: ODFW.Commission@state.or.us
Subject: Comment to Commission on EXHIBIT D: NON-NATIVE GAMEFISH MANAGEME

Dear Chair Wahl and Members of the ODFW Commission,

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Sincerely,
Trish Schot
patriciaschot@gmail.com 97217

Lisa Kingsley

From: Walter Stahl <walter.james2@comcast.net>
Sent: Wednesday, January 13, 2021 2:41 PM
To: ODFW.Commission@state.or.us
Subject: Comment to Commission on EXHIBIT D: NON-NATIVE GAMEFISH MANAGEME

Dear Chair Wahl and Members of the ODFW Commission,

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Sincerely,
Walter Stahl
walter.james2@comcast.net 97128

Lisa Kingsley

From: Kirsten Nystrom <kirstennystrom@gmail.com>
Sent: Wednesday, January 13, 2021 4:11 PM
To: ODFW.Commission@state.or.us
Subject: Comment to Commission on EXHIBIT D: NON-NATIVE GAMEFISH MANAGEME

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Sincerely,
Kirsten Nystrom
kirstennystrom@gmail.com 97213

Lisa Kingsley

From: Peter Brewer <mr9grain@gmail.com>
Sent: Wednesday, January 13, 2021 6:50 PM
To: ODFW.Commission@state.or.us
Subject: Comment to Commission on EXHIBIT D: NON-NATIVE GAMEFISH MANAGEME

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Sincerely,
Peter Brewer
mr9grain@gmail.com 97703

Lisa Kingsley

From: Tom Armstrong <tdarmstrong@yahoo.com>
Sent: Wednesday, January 13, 2021 9:45 PM
To: ODFW.Commission@state.or.us
Subject: Comment to Commission on EXHIBIT D: NON-NATIVE GAMEFISH MANAGEME

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Sincerely,
Tom Armstrong
tdarmstrong@yahoo.com 97215

Lisa Kingsley

From: Brent Ross <brentross@gmail.com>
Sent: Thursday, January 14, 2021 7:44 AM
To: ODFW.Commission@state.or.us
Subject: Comment to Commission on EXHIBIT D: NON-NATIVE GAMEFISH MANAGEME

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Sincerely,
Brent Ross
brentross@gmail.com 97405